

Customer No. 07278

Docket No.:20342/1205256-US2
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Mitchell SHIRVAN

Application No.: 10/826,904

Confirmation No.: 2223

Filed: April 16, 2004

Art Unit: 1617

For: USE OF DERIVATIVES OF VALPROIC
ACID AMIDES AND 2-VALPROENIC ACID
AMIDES FOR THE TREATMENT OR
PREVENTION OF PAIN AND/OR
HEADACHE DISORDERS

Examiner: San Ming HUI

APPLICANT'S INTERVIEW SUMMARY

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

On February 13, 2008, the undersigned had a telephonic interview with the Examiner to discuss the Office Action mailed November 20, 2007. The Office Action states that the Preliminary Amendments filed April 16, 2004 were entered, and that claims 11-46 and 48-92 were cancelled and new claims 97-101 were added. *See*, Office Action, p. 2. The Office Action also states that: "[c]laims 1, 47, and 93-101 are pending." *Id.*

During the interview, the undersigned pointed out that the Office Action erroneously omitted claims 2-10 from the pending claims. The Examiner acknowledged the error. The Examiner had been made aware of the omitted claims the previous week when, on February 4, 2008, Marc Gross of Darby & Darby, P.C. left a voice message requesting withdrawal of the Office Action. The Examiner stated that a new Office Action would be issued, which would reset the time for a response. The Examiner was not certain whether he could issue the new action on or before the three-month deadline for a response, which falls on February 20, 2008. As of the filing of this summary, a new Office Action has not yet been issued.

Dated: February 20, 2008

Respectfully submitted,

By 

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